

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

GRANT HAMRICK,

PLAINTIFF,

v.

No. 3:20-cv-00417-TRM-dcp
JURY DEMAND

SPLASH TRANSPORT, INC.,
AHMED ELMEHALAWY,
NANDLEEN, LLC d/b/a NANDLEEN
LOGISTICS, and
REGINALD DEVON JAMES

DEFENDANTS.

AGREED ORDER FOR MEDICAL RECORDS

Plaintiff GRANT HAMRICK and Defendants, NANDLEEN LOGISTICS and REGINALD DEVON JAMES, by and through their undersigned attorneys hereby agree that the Defendants should have an Order and authorizations to acquire certain medical records as they pertain to **GRANT BEVIN HAMRICK, DOB: xx/xx/1964; SSN: xxx-xx-2874**, which are in the possession of any doctor, nurse, hospital or other health care providers of the Plaintiff. The scope of the records obtained is limited in time from the date of entry of this Order and the previous ten (10) years.

All records acquired should be paid for by the Defendants and/or their attorneys, and copies provided to Plaintiff's counsel within ten (10) days from receipt of same; however, if records are obtained less than thirty (30) days prior to a hearing, deposition, or trial, they shall be furnished to counsel for the Plaintiff immediately.

In accordance with the Health Insurance Portability and Accountability Act (“HIPAA”), 45 C.F.R. §160 and 164, Plaintiff hereby acknowledges, through counsel, that release of medical records per this Order shall be used for discovery purposes in the above-styled lawsuit. Plaintiff further acknowledges, through counsel, that any request for medical records shall include all records pertaining to treatment rendered to the Plaintiff, irrespective of type of treatment or time of services rendered within ten (10) years of the date of this Order. Lastly, Plaintiff acknowledges, through counsel, that records obtained per this Order may be disseminated to agents and/or associates of defense counsel, including but not limited to, their agents and expert witnesses, and that any such information disseminated will no longer be protected by HIPAA privacy standards.

In further accordance with HIPAA, counsel for the Defendants hereby acknowledges that dissemination of records obtained per this Order shall be limited to agents, representatives, and expert witnesses. It is further

ORDERED that Defendants are hereby authorized to inspect, reproduce, and copy all medical records, as they pertain to **GRANT BEVIN HAMRICK, DOB: xx/xx/1964; SSN: xxx-xx-2874**, which are in the possession of any doctor, nurse, hospital, or any other health care provider of the Plaintiff. Further, it is

ORDERED that said hospitals, doctors or health care providers of the Plaintiff or their employees are authorized to release said information. Further, it is

ORDERED that all records so acquired by this Order and authorization shall be paid for by Defendants and/or their attorneys, and copies provided to Plaintiff's

counsel within ten (10) days from receipt of same. However, if records are obtained less than thirty (30) days prior to a hearing, deposition, or trial, they shall be furnished to counsel for the Plaintiff immediately. Further, it is

ORDERED that if documents are examined and not copied, Plaintiff's counsel will be provided the name and address of the place where the documents exist, a listing of all documents examined and not copied within ten (10) days of such inspection and prior to any hearing, deposition, or trial if less than ten (10) days of such examination. Further, it is

ORDERED that in the event the Defendants intend to use at trial any information reviewed pursuant to this Order of which copies are not obtained, Defendants shall advise counsel for the Plaintiff of that intent not less than thirty (30) days prior to trial. Further, it is

ORDERED that this Order and Authorization is not a waiver of Plaintiff's right of privacy or Plaintiff's covenant of confidentiality with his physicians or other healthcare providers. **Plaintiff's counsel hereby advises all of plaintiff's treating physicians that this Agreed Order does not authorize any communication *ex parte*, or private conferences by and among any attorneys or their agents with any medical health care provider or any entity in possession of such medical records, unless plaintiff's counsel is present at such conference, with the exception that the defendants, defendants' employees, and their record collection agents/representatives**

are permitted to contact the providers' offices related to the collection of said records, only .

This Order shall expire upon final disposition of this case and the law firm of Trammell, Adkins & Ward, P.C. or their designated representatives, shall be prohibited from using the Order thereafter and copies of all records obtained shall be destroyed no later than one (1) year after the time for appeals has been exhausted.

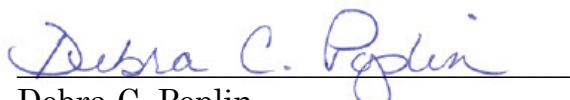
The Defendants stipulate that the records obtained from any doctor, nurse, hospital, or any other health care providers are authentic and are kept in the regular course of business.

If any records obtained or reviewed with the Order are not provided or revealed to Plaintiff's counsel as provided herein, and/or if any *ex parte* discussion with Plaintiff's treating physicians and/or other medical providers occur in violation of this Order, then sanctions may issue to specifically include prohibition of the use of said records, and/or prohibition of the use of any information discovered pursuant to any said *ex parte* discussions, for any purpose whatsoever and at any time in connection with this litigation.

This Order may be amended by consent of the parties, or leave of court, to include additional medical providers of the Plaintiff that are identified throughout the course of discovery.

IT IS SO ORDERED.

ENTER:


Debra C. Poplin
United States Magistrate Judge

Approved for Entry:

s/Matthew E. Wright

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on August 26, 2021.